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**HOUSE BILL 1822**

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**State of Washington 66th Legislature 2019 Regular Session**

**By** Representatives Appleton, Hudgins, and Dolan

AN ACT Relating to enhancing election data by improving statewide election data collection and reporting standards; and amending RCW 29A.60.290 and 29A.60.300.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

**Sec.**  RCW 29A.60.290 and 2016 c 134 s 1 are each amended to read as follows:

(1) The secretary of state must develop statewide election data and reporting standards for how election-related data is maintained and reported by each county auditor.

(2) The secretary of state must develop uniform standards for how the following information is defined, collected, and recorded by county election administrators, and reported by each county auditor:

(a) Ballot rejections, including the total number of rejected ballots, the number of rejected ballots by type of ballot submitted, reasons for the ballot rejection, and uniform codes assigned to each reason for rejection;

(b) Voter registrations reported as a total and by method of application such as at an agency or online, including registration applications received, registration applications rejected, the reasons for the registration application rejection, and uniform codes assigned to each reason for rejection;

(c) Postelection audit information reported by type of audit performed, including the frequency that each audit was performed, the audit results, and discrepancies found during each audit;

(d) Number of ballots cast, including the number cast:

(i) In person on the day of the election, reported by type of ballot submitted, for each special election, primary, and general election;

(ii) Prior to the special election at a voting center or the county auditor's office, reported by type of ballot submitted, for each special election, primary, and general election;

(iii) By ballot box, reported by ballot box location;

(iv) By email or facsimile, categorized by ballots sent by military and overseas voters and nonmilitary and nonoverseas voters; and

(v) By mail;

(e) Using the United States census data or other best data available, an estimate of persons in each county who are eligible to register to vote and participate fully in all elections but are not registered;

(f) The number of unreturned ballots reported as:

(i) A total number;

(ii) By ballot type; and

(iii) By voter status including active and inactive voters;

(g) Residual vote rate, measured as the sum of over votes and under votes in a particular election, divided by the reported total turnout;

(h) Turnout rate, or the percentage of registered voters who voted in a particular election;

(i) Average voting wait time to vote in person at a voting center or the county auditor's office;

(j) An inventory of voting systems, including the type of system and year the system was procured by the county;

(k) Complaints submitted to county election officials or administrators by persons experiencing problems with the administration of any election, including voter registration and access by persons with disabilities; and

(l) Any other category necessary as determined by the secretary of state.

(2) The secretary of state must develop a uniform county-based administrative complaint procedure for persons experiencing any problems with the administration of any election. Each county auditor must implement the county-based administrative complaint procedure consistent with the uniform procedures developed by the secretary of state under this subsection.

(3) Each county auditor must collect, record, maintain, and report the election-related data according to the uniform standards developed by the secretary of state under subsection (1) of this section.

(4) The secretary may make reasonable rules as necessary to develop statewide standards.

((~~(2)~~)) (5) The statewide standards should focus on the goals of improving:

(a) The types of data files and procedures used to collect and maintain election information;

(b) The public's access to election data collected, reported, and made available by each county auditor including, but not limited to:

(i) Records of voters who were issued a ballot and voters who voted in an election, pursuant to RCW 29A.40.130;

(ii) Tabulation results made available pursuant to RCW 29A.60.160; and

(iii) Information collected and reported in the county election reconciliation report, pursuant to RCW 29A.60.235; and

(c) The efficient compilation of data from all counties for research and analysis of election practices and trends at a statewide level.

((~~(3)~~)) (6) The secretary of state may convene a work group, including county auditors and other interested stakeholders to evaluate how county election data is collected and maintained and to develop and recommend ways for improving election data reporting.

((~~(4)~~)) (7) The statewide standards must be made public with ongoing analysis on whether counties are in compliance with current standards.

**Sec.**  RCW 29A.60.300 and 2016 c 134 s 3 are each amended to read as follows:

(1) Every ((~~odd-numbered~~)) year, the secretary of state must conduct and publish a statewide survey of voted ballot rejection rates and the reasons for those rejections by county auditors and canvassing boards. The secretary of state must collect data from reconciliation reports and county auditors in order to compare county and statewide averages for rates of rejected ballots and reasons for those ballots being rejected. The data collected must include rejection rates and reasons for rejection of voted ballots for ((~~all elections~~)) each special election, primary election, and general election. The survey must include an analysis of current practices by county auditors and canvassing boards in the acceptance and rejection of ballots, and include recommendations for improvements that minimize rejections in those practices, with a goal of statewide standardization where applicable. The results must also be analyzed and compared with available national data and recognized best practices. The secretary of state's recommendations and reports must be made available to the public.

(2) Every county auditor must report to the secretary of state the ballot rejection rates and reasons for ballot rejections in accordance with the uniform standards and rejection codes developed by the secretary of state pursuant to RCW 29A.60.290.

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